



House Republican Staff Analysis

Bill: HF 615/ SF124
Committee: Public Safety
Date: 3/29/2011
Member: Rep. Fry
Staff: Amanda Freel (1-5230)

Summary

This bill makes cell phones and other electronic communication devices contraband in jails/prisons.
Violation is a class "D" felony.
Passed in senate 49-0

Summary of Action

- Subcommittee 3/2/2011
 - Committee 3/3/2011
 - Passed House (Amended to SF 124) 3/29/11 82-17
 - Signed by Governor 4/5/11
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Section-by-Section Analysis

Section I Possessing Contraband (New Paragraph)

1. Definition
 - a. Electronic contraband-mobile telephone or other hand-held electronic communication device
 - b. Facility- county jail, municipal holding facility, or institution managed under DOC
2. Possession of electronic contraband occurs if the person is not authorized by law and:
 - a. Knowingly supplies or attempts to supply electronic contraband to any person in a facility
 - b. Knowingly makes, obtains or possesses electronic contraband in a facility
3. Possessing electronic contraband is a class "D" felony. Maximum prison term not to exceed 5 years; may be deferred or suspended unless forcible felony; fine of at least \$750 but no more than \$7,500.
4. Contraband must reported when it is discovered
 - a. Failure to report is an aggravated misdemeanor
5. X-Ray may be taken of those committed to facilities if there is reason to believe they possess electronic contraband.
6. No rules prohibit administrators of facilities to create or enforce rules concerning electronic contraband